

APR 19 2005

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April 19, 2005

VIA FACSIMILE

To: Examiner Takisha S. Miller
Group Art Unit: 2855
U.S.P.T.O.

Facsimile No.: (703) 872-9306

From: James E. Howard

Facsimile No.: (703) 761-2375 or 76


Re: Enclosed Applicant's Interview Summary
U.S. Patent Application Serial No. 10/693,489
Docket No. K06-163166M/TBS

Dear Examiner Miller:

Enclosed for filing is an Applicant's Interview Summary in response to the personal interview on March 29, 2005 for above-referenced patent application.

Thank you in advance for your kind consideration on this case.

Very truly yours,



James E. Howard

JEH/geb
Enclosures
Total pages transmitted: 5

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Yoshitomo TOKUMOTO

Serial No.: 10/693,489

Group Art Unit: 2855

Filed: October 27, 2003

Examiner: Miller, Takisha S.

For: ROTATION ANGLE DETECTING DEVICE, TORQUE DETECTING DEVICE
AND METHOD OF MANUFACTURING THE SAME

Honorable Commissioner of Patents

BOX AF

Alexandria, VA 22313 - 1450

APPLICANT'S INTERVIEW SUMMARY

Applicant appreciates the courtesies extended to Applicant's representative during a personal interview on March 29, 2005.

During the personal interview:

1. No exhibit was shown and no demonstration was conducted.
2. Independent claim 1 was discussed.
3. The Nakamura et al. reference was discussed.
4. No clarifying amendments were discussed.
5. Applicant's representative explained that the Nakamura et al. reference does not teach or suggest the features of the claimed invention including semiconductor MR elements that are formed over and integrally with a common cell of a semiconductor wafer as recited by independent claims 1, 4, and 13. As explained before, this feature is important for minimizing any differences in the materials of the semiconductor MR elements so that the uniformity of the electrical characteristics of these semiconductor MR elements is improved.

During the personal interview, Examiner Miller directed the attention of the Applicant's representative to a previously un-cited portion of the Nakamura et al. reference at

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paragraph [0055] which states: "Each of the magnetoresistive elements 21 and 22 is constructed with a substrate 23" and explained that the Examiner had interpreted that sentence as disclosing MR elements formed over and integrally with a common cell of a semiconductor wafer as recited by the independent claims.

Applicant's representative explained that the teaching that "Each of the magnetoresistive elements 21 and 22 is constructed with a substrate 23" does not disclose MR elements formed over and integrally with a common cell of a semiconductor wafer as recited by the independent claims.

Rather, the teaching that "Each of the magnetoresistive elements 21 and 22 is constructed with a substrate 23" appears before a description of the MR element 21 that is illustrated in Figure 3 of the Nakamura et al. reference and that it merely discloses that each of the MR elements 21 and 22 have a substrate 23 which is just like the substrate which is described with reference to MR element 21 alone.

The Nakamura et al. reference clearly does not teach or suggest the features of the claimed invention including semiconductor MR elements that are formed over and integrally with a common cell of a semiconductor wafer as recited by independent claims 1, 4, and 13.

Further, Examiner Miller indicated that an Advisory Action had been mistakenly issued, but not yet mailed (contrary to the indication in the Examiner's Interview Summary), which indicated that Examiner's arguments in the March 1, 2005, Amendment were not persuasive.

The Patent Application Information Retrieval system as of the date of the interview did not indicate the presence of any Advisory Action.

6. No other pertinent matters were discussed.

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7. Results of the Interview:

Examiners Noori and Miller agreed that "[I]t appears that the cited reference does not show the MR elements being formed on a common cell of a semiconductor wafer. However, [the] examiner needs to reexam (sic) the cited reference (Nakamura et al.) more thoroughly in order to confirm the lack of the above limitation."

Further, the Examiners indicated that an Advisory Action was "in the system," but had not yet been mailed, which will indicate that the Applicant's arguments in the March 1, 2005, Amendment were not persuasive. The Examiners agreed that the Advisory Action was premature in view of the scheduled personal interview and incorrect, given the fact that Examiners now agreed that Applicant's arguments are persuasive.

Indeed, Examiners Noori and Miller agreed that arguments that were presented by the March 1, 2005, Amendment were exactly the same as those presented by the Applicant's representative during the personal interview and which the Examiners now agree that "[I]t appears that the cited reference does not show the MR elements being formed on a common cell of a semiconductor wafer."

Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

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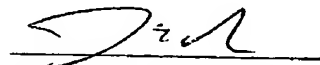
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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date:


4/19/05


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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that I am filing this Applicant's Interview Summary by facsimile with the United States Patent and Trademark Office to Examiner Takisha S. Miller, Group Art Unit 2855 at fax number (703) 872-9306 this 19th day of April, 2005.


James E. Howard, Esq.
Registration No. 39,715